

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): BERNDT et al.  
Serial No.: 10/589,319  
For: COVER WITH RECLOSEABLE APERTURE  
International  
Filing Date: 07 April 2004  
US Filing Date: 14 August 2006  
Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned  
Confirmation No.: 6504  
Customer No.: 27,623 Attorney Docket No.: 20040232-2

**Mail Stop PCT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attention: DO/EO/US**

Sir:

**TRANSMITTAL OF MISSING PARTS OF APPLICATION AND  
PAYMENT OF SURCHARGE UNDER 37 C.F.R. §1.16(e)**

Transmitted herewith are the following documents pertaining to the above-identified application:

- XX** Declaration and Power of Attorney form executed by Manfred BERNDT; Jose-Angel MORA-FILLAT; and Jan EICKHOFF;
- The undersigned attorney has verified that the applicant is entitled to a Small Entity Status;
- XX** **4** Sheets of Formal Drawings;
- X** An Assignment of the Invention to: **AGILENT TECHNOLOGIES, INC.** including \$40.00 recordation fee and Assignment Recordation Cover Sheet;
- Information Disclosure Statement (Form - 1449);
- X** A copy of the Notification of Missing Requirements Under 37 U.S.C. 371;
- Preliminary Amendment; and



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,319	Manfred Berndt	20040232-2

INTERNATIONAL APPLICATION NO.

PCT/EP04/50476

I.A. FILING DATE

PRIORITY DATE

04/07/2004

27623

OHLANDT, GREELEY, RUGGIERO & PERLE, LLP  
 ONE LANDMARK SQUARE, 10TH FLOOR  
 STAMFORD, CT 06901

CONFIRMATION NO. 6504

371 FORMALITIES LETTER



\*OC000000023178002\*

Date Mailed: 04/02/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/14/2006
- Copy of the International Search Report filed on 08/14/2006
- Copy of Article 19 Amendments filed on 08/14/2006
- Information Disclosure Statements filed on 08/14/2006
- U.S. Basic National Fees filed on 08/14/2006
- Specification filed on 08/14/2006
- Claims filed on 08/14/2006
- Abstracts filed on 08/14/2006
- Drawings filed on 08/14/2006

**RECEIVED**  
 APR - 4 2007  
 OHLANDT, GREELEY,  
 RUGGIERO & PERLE, LLP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

\_\_\_ Petition and Fee for Extension of Time (37 CFR 1.136(A)).

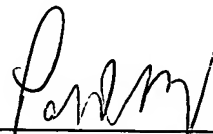
The Filing Fee is calculated below.

CLAIMS AS FILED				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$300.00
Total Claims	** - 20 =	0	x \$50.00	\$
Independent Claims	* - 3 =	0	x \$200.00	\$
Multiple Dependent Claim Fee		x \$360.00 = \$0.00		
SEARCH FEE		\$500.00		
EXAMINATION FEE		\$200.00		
NATIONAL STAGE APPLICATION SIZE FEE (\$250 FOR EACH ADDITIONAL 50 SHEETS OVER 100 SHEETS)		\$		
TOTAL FILING FEE		\$PAID		
1/2 FILING FEE FOR SMALL ENTITY		\$		

- ☒ A check in the amount of **\$170.00** to cover the surcharge (\$130) and assignment recordation fee (\$40) is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

April 12, 2007

Date



Paul D. Greeley

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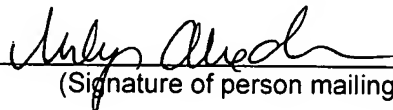
Telefax: (203) 327 6401

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV951807904US**, service under 37 CFR §1.10 and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: DO/EO/US on April 12, 2007.

Marilyn Alexander

(Typed name of person mailing paper)



(Signature of person mailing paper)

04/16/2007 LLANDGRA 00000032 10589319

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130.00 0P

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,319	PCT/EP04/50476	20040232-2

FORM PCT/DO/EO/905 (371 Formalities Notice)